

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION**

Leny Ponce-Lobo,

)

**Case No. _____
(Formerly Case No.: 2022CP2603973)**

)

Plaintiff,

)

)

v.

)

)

NOTICE OF REMOVAL

**Mark A. Shaw and Hub Group Trucking,
Inc.,**

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)

)

Defendants.

)

TO: THE UNITED STATES DISTRICT COURT:

Defendants, Mark A. Shaw and Hub Group Trucking, Inc., would respectfully show the Court in support of its Notice of Removal that:

1. The Summons and Complaint in this action were filed on June 17, 2022 in the Court of Common Pleas for Horry County, South Carolina. Attached for the Court are copies of Plaintiff's Summons and Complaint. The Complaint is the first pleading served upon the Defendant in this action and service was affected on June 27, 2022. Therefore, removal is timely under 28 U.S.C. §1446(b).

2. The United States District Court has jurisdiction over this action pursuant to 28 U.S.C. §1332. The Plaintiff is a resident and citizen of the State of South Carolina; Defendant Mark A. Shaw is a resident and citizen of the State of Ohio; and Defendant Hub Group Trucking, Inc., is incorporated in the State of Delaware and has its principal place of business in the State of Illinois. The action has been brought by the Plaintiff against the Defendant for the alleged accident which occurred in Horry County, South Carolina.

3. Venue is proper in this matter in the Florence Division of this Court in accordance with 28 U.S.C. §1441(a).

4. Upon information and belief, the amount in controversy in this matter exceeds \$75,000.00 as Plaintiff alleges pain and suffering; injuries to and about his body; limitation of motion; worry, mental suffering, mental anguish and mental anxiety; permanent impairment, pain, injuries, and disabilities; inability to perform her normal duties at work; loss of past and future income; loss of earning capacity; surgical interventions; implantation permanent hardware; medical bills; loss of enjoyment of life; property damage; and any other losses which may be unearthed through the litigation of this matter.

5. Defendants have filed no pleadings in this action with the Court of Common Pleas for the State of South Carolina in response to this Complaint; however, Defendant's Answer to the Plaintiff's Complaint is filed herewith contemporaneously.

6. Defendant has furnished a copy of this Notice of Removal to the Clerk of Court for Horry County.

Respectfully submitted,

SWEENEY, WINGATE & BARROW, P.A.

s/Aaron J. Hayes

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ATTORNEYS FOR THE DEFENDANTS

Columbia, South Carolina
July 12, 2022